June 2, 2009

California Energy Commission
Docket Unit
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: LODI ENERGY CENTER JUNE STATUS REPORT

Enclosed for filing with the California Energy Commission is the original copy of LODI ENERGY CENTER JUNE STATUS REPORT, for the Lodi Energy Center (08-AFC-10).

Sincerely,

Robert Gladden
Counsel to NCPA
The Northern California Power Agency (NCPA) submits this June Status Report to update the Committee on the progress related to the processing of its Lodi Energy Center Application for Certification.

NCPA has submitted all relevant responses to the Data Requests issued by the CEC staff and has continued to work towards an expeditious progression through the certification process. We continue to expect that the Preliminary Staff Assessment will be docketed by the CEC Staff on or before June 24, 2009.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

On April 15, 2009, the San Joaquin Valley Air Pollution District issued its Preliminary Determination of Compliance (PDOC) setting forth the scientific basis of why the LEC project is in compliance with Air District standards.

Aside from the Applicant's comments and CEC staff comments to the Air District requesting clarification on the BACT determination for CO and collateral matters to be addressed in the Final Determination of Compliance, only one other comment was submitted.

CULTURAL RESOURCES

An Objection was filed by NCPA on April 15, 2009, to the Data Request 13 Supplement (related to a request for geo-archeology studies). CEC staff did not file a motion to compel, but NCPA and its consultants have been making every effort to cooperate and address the concerns of CEC staff, including a conference call and review of collateral
documentation (a Caltrans report). All of these efforts together do not change the
opposition of NCPA to the request, but in fact, strengthen the position after review of the
Caltrans report which concludes low probability for potential finds in this region.
Nevertheless, NCPA is not opposed to finding common ground on the requests by CEC
staff and look forward to completely resolving this issue well before the Final Staff
Assessment is issued for the project.

VARIANCE FOR SAN JOAQUIN MULTI-SPECIES HABITAT CONSERVATION (HCP)

NCPA, along with the CEC staff Biologist, are actively working with the San Joaquin
Council of Governments (SJCOG) to discuss the particulars of obtaining an on-site
variance to allow work to occur within the typical setback. This process should take
approximately four-six weeks once NCPA files the request with SJCOG, which is
anticipated by early June. There does not appear to be any impediment to the PSA
preparation and publication.

SCHEDULE

NCPA believes that Staff has all of the information necessary to complete its PSA on or
before June 24, 2009.

Dated: June 2, 2009

\[Signature\]

Robert Gladden
Counsel to NCPA
APPLICATION FOR CERTIFICATION FOR THE Lodi Energy Center

DOCKET No. 08-AFC-10

PROOF OF SERVICE
(Revised 2/17/09)

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DECLARATION OF SERVICE

I, Ashley Y Garner, declare that on June 2, 2009, I served and filed copies of the attached LODI ENERGY CENTER JUNE STATUS REPORT dated June 2, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [www.energy.ca.gov/sitingcases/lodi]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission’s Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

___ X ___ sent electronically to all email addresses on the Proof of Service list;

___ X ___ by personal delivery or by depositing in the United States mail at with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses NOT marked “email preferred.”

AND

FOR FILING WITH THE ENERGY COMMISSION:

___ X ___ sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

_____ depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-10
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

[Signature]
Ashley Y. Garner